

# COUNTY OF YORK



Director  
John T. Dunn, P.E.

Department of  
Environmental and  
Development Services

## VIRGINIA

December 7, 1999

York County Board of Supervisors  
P.O. Box 532  
Yorktown, Virginia 23690

DEC 08 1999

CLERK OF THE COURT  
YORK COUNTY, VIRGINIA

Dear Chairman Noll and Members of the Board:

Subject: Appointment of Alternates to the Board of Zoning/Subdivision Appeals (BZA)

The Board of Zoning and Subdivision Appeals unanimously requests that you petition the Circuit Court to appoint two alternate members to the Board of Zoning/Subdivision Appeals. The County Attorney, Mr. James E. Barnett, Jr., has informed the BZA that recent action by the General Assembly currently permits the Circuit Court to appoint up to three alternate members to this York County board.

As you are aware, the BZA currently consists of five members and there is no one to serve in the absence of a regular member. State Statutes require three affirmative votes to approve any action by the BZA regardless of the number of members attending. Several occasions this year the regular meeting had to be continued or postponed because members had conflicts in schedules and only four (in one case only three) were able to attend. Since the meeting involves public hearings, the applications for which have to be advertised well in advance, last minute scheduling conflicts are sometimes unavoidable even though all of the members are very dedicated and diligent in performing their appointed duty. When the number of attending members is less than five, the applicant is placed at a significant disadvantage. The appointment of two alternates would likely result in the seating of five members on most occasions.

A favorable resolution to the Circuit Court requesting the appointment of two alternate members to the BZA would be greatly appreciated.

Respectfully,

Marvin D. Rhodes, Chairperson  
York County Board of Zoning/Subdivision Appeals

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Page 2

bc:   Members of the Board of Zoning/Subdivision Appeals  
      ✓James E. Barnett, Jr., County Attorney  
      William S. Daniel, Jr., Secretary, BZA

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